REMARKS

Entry of the foregoing and further and favorable reconsideration of the subject application in light of the following remarks, pursuant to and consistent with 37 C.F.R. § 1.112, are respectfully requested.

By the foregoing amendment, claims 24 and 30 have been canceled without prejudice or disclaimer of the subject matter recited therein. Further, claims 23, 26-27 and 31-32 have been amended to further clarify applicants' invention and new claims 39-43 have been added. No new matter has been added.

I. Objections

The disclosure has been objected to because the table spanning pages 207-216 is in German. Applicants note that page 190 of the disclosure recites the English translation for the headings of each column for the table, and pages 191-206 show the English translation of columns 1-3 from the table on pages 207-216.

As for the electronic Northern tables recited on pages 15-185, applicants will submit substitute pages with the proper alignment of the columns.

II. Rejection Under 35 U.S.C. § 101

Claims 23, 24, 26-27 and 30-32 have been rejected under 35 U.S.C. § 101 because the claimed invention allegedly lacks patentable utility. Applicants respectfully traverse this rejection.

This rejection appears to be based on the misalignment of the electronic Northern for SEQ ID NO:8. Submitted herewith is a copy of page 23 of the subject application indicating that expression of SEQ ID NO:8 in normal pancreas tissue is 0.0000 and expression of SEQ ID NO:8 in a pancreas tumor is 0.0166. Thus, SEQ ID NO:8 is indeed differentially expressed in normal and cancerous pancreas tissue.

Differential expression of SEQ ID NO:8 is also supported by the attached Figure. The two immunohistochemistry experiments shown in the figure were performed with antibodies against SEQ ID NO:181 from a pancreas-adenocarcinoma. As indicated in the positive control, the tumor cells stain darkly while normal cells are not stained. Thus, this indicates that differential expression is not only at the RNA level but also at the protein level.

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS

23. (Amended) ~~Polypeptide partial sequences according to sequences Seq. ID Nos. 158-596 and 618-659~~ An isolated polypeptide comprising the sequence of SEQ ID NO:181.

26. (Amended) ~~Polypeptide partial sequences polypeptide according to claim 23, with at least 90% homology to these sequences~~ An isolated polypeptide that is at least 90% homologous to the polypeptide sequence of claim 23.

27. (Amended) ~~Use of polypeptide partial sequences according to sequences Seq ID Nos. 158-596 and 618-659 of claim 23 as tools for finding active ingredients against the pancreas tumor~~ A method for screening for an active ingredient against a pancreas tumor comprising contacting the polypeptide of claim 23 with a potential active ingredient.

31. (Amended) ~~Use of polypeptide partial sequences Seq. ID Nos. 158-596 and 618-659 of claim 23 for the production of a pharmaceutical agent for treatment of the pancreas tumor~~ A method for producing a pharmaceutical composition comprising mixing the polypeptide of claim 23 with a pharmaceutically acceptable carrier.

32. (Amended) ~~Pharmaceutical agent, containing at least one polypeptide partial sequence Seq. ID Nos. 158-596 and 618-659 of claim 23~~ A pharmaceutical composition comprising the polypeptide of claim 23 and a pharmaceutically acceptable carrier.